

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-60 are pending in this case. Claims 1, 11, 23, 37, 41, 45, 51, 53, 55, and 57-59 are amended by the present amendment. The changes to Claims 1, 11, 23, 37, 41, 45, 51, 53, 55, and 57-59 are supported in the originally-filed specification at least at Figures 5 and 6, at page 20, lines 22-24, at page 26, line 19, to page 27, line 8, at page 37, lines 9-14, and page 41, line 20, to page 42, line 4. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-59 were rejected under 35 U.S.C. § 102(e) as anticipated by Moshfeghi (U.S. Patent No. 6,476,833, herein "Moshfeghi").

At the outset, Applicant respectfully notes that, as set out in MPEP § 2131, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631. Further, "[t]he identical invention must be shown in as complete detail as is contained in the...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236. Applicant respectfully submits that Moshfeghi does not include each and every element of any of the claims, **in as complete detail** as contained in the claims.

Applicant respectfully traverses the rejection.

Claim 1 is directed to a web page creation apparatus and includes "a Web page creation unit configured to create a Web page having operation items based on operation-item display information which is defined based on a device that displays the Web page, the Web page creation unit configured to select the operation items from a list including at least one of a first operation item configured to move a file location and a second operation item configured to delete a file."

Moshfeghi describes controlling browser functionality in the context of a software application. At column 3, lines 13-22, Moshfeghi describes that “some users are allowed to access any resource on the public Internet or private intranets, while other users can only access the limited lists of resources...the functionality and appearance of the user interface of the embedded browser sub-window is also configured from information in the user profile.” Thus, Moshfeghi describes a web application within a non-web application wherein the links available through the web application are based on the user profile.

Moshfeghi does not teach or suggest creating a web page with operation items based on operation-item display information “based on a device that displays the Web page,” as recited in Claim 1. Applicant has argued that Moshfeghi fails to teach or suggest this feature in the previous responses, but neither the outstanding Office Action nor the Advisory Action has cited to a portion of Moshfeghi as teaching this feature. MPEP § 707.07(f) states that “[w]here the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant’s argument and **answer the substance of it.**” Both the outstanding Office Action and the Advisory Action assert that Moshfeghi teaches this feature of Claim 1, but both the outstanding Office Action and Advisory Action then discuss the effect of a user’s profile on the content of the Web page of Moshfeghi rather than the effect of the device that displays the Web page on the operation-item display information.

Moshfeghi also does not teach or suggest operation items as recited in Claim 1. Moshfeghi does not teach or suggest operation items selected “from a list including at least one of a first operation item configured to move a file location and a second operation item configured to delete a file” that are “based on operation-item display information which is defined based on a device that displays the Web page,” as recited in Claim 1.

Because Moshfeghi does not teach or suggest at least the above-discussed limitations recited in Claim 1, Applicant respectfully requests that the rejection under 35 U.S.C. § 102(e) of Claim 1 and Claims 2-10 and 60, which depend therefrom, be withdrawn.

Claims 37 and 51, though differing in scope and statutory class from Claim 1, also include operation items selected “from a list including at least one of a first operation item configured to move a file location and a second operation item configured to delete a file” based on operation-item display information which is “defined based on a device” that displays the Web page. Thus, Claims 37 and 51 patentably define over Moshfeghi for the same reasons discussed above with respect to Claim 1.

Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 102(e) of Claim 37, Claims 38-40, which depend therefrom, Claim 51, and Claim 52, which depends therefrom, be withdrawn.

Claim 11 is directed to a web page creation apparatus and includes “a Web page creation unit configured to create a Web page having operation items corresponding to functions of an external device, the external device including a multi-function peripheral system.”

The amended portion of Claim 11 clarifies that “functions of an external device” is not to be interpreted as a “link within a webpage, buttons, browser controls, etc.,” as interpreted in the Advisory Action.

Moshfeghi does not teach or suggest the web application within the non-web application “having operation items corresponding to functions of an external device, the external device including a multi-function peripheral system,” as recited in Claim 1. As depicted in Fig. 3 of Moshfeghi, the web application contains web browsing buttons such as “reload,” “bookmarks,” and “search.” However, Moshfeghi neither teaches nor suggests

“operation items” within the web application corresponding to functions of a device like a multi-function peripheral system.

Thus, Applicant respectfully requests that the rejection under 35 U.S.C. § 102(e) of Claim 11 and Claims 12-22, which depend therefrom, be withdrawn.

Claims 23, 41, 45, 53, 55, 57, and 58 differ in scope and statutory class from Claim 11 but also recite operation items corresponding to functions of an external device or different external devices, the external device or devices “including a multi-function peripheral system.” Thus, Claims 23, 41, 45, 53, 55, 57, and 58 patentably define over Moshfeghi for the reasons discussed above with respect to Claim 11.

Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 102(e) of Claim 23, Claims 24-36, which depend therefrom, Claim 41, Claims 42-44, which depend therefrom, Claim 45, Claims 46-50 which depend therefrom, Claim 53, Claim 54, which depends therefrom, Claim 55, Claim 56, which depends therefrom, Claim 57, and Claim 58 be withdrawn.

Claim 59 is directed to a Web page creation apparatus and includes:

- a Web page creation unit configured to create a Web page;

- a first storage unit configured to manage common information which is defined in common for two or more users to indicate operation items to be displayed in the Web page, the operation items selected from a list including at least one of a first operation item configured to move a file location and a second operation item configured to delete a file;

- a second storage unit configured to manage individual information which is defined for each user to indicate operation items not to be displayed among all the operation items defined in the common information,

- wherein the Web page creation unit is provided to create the Web page so that the operation items extracted from all the operation items of the common information based on the individual information are displayed.

As discussed above, a proper assertion of anticipation requires that “[t]he identical invention must be shown in as complete detail as is contained in the...claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236.

The outstanding Office Action rejected Claim 59 under the same rationale as Claim 1. However, Claim 1 does not recite a first or second storage unit or the other features recited in Claim 59. Thus, the features of Claim 59 have not been shown in any detail in Moshfeghi.

Further, as also discussed above, MPEP § 707.07(f) requires that “the examiner should, if he or she repeats the rejection, take note of the applicant’s argument and **answer the substance of it.**”

The Advisory Action does not discuss Claim 59 at all. Thus, Applicant’s assertion in the previous response that Moshfeghi does not teach or suggest the limitations recited in Claim 59 has not been addressed either by the outstanding Office Action or by the Advisory Action.

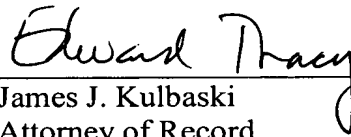
Finally, Claim 59 has been amended to add the limitation of “the operation items selected from a list including at least one of a first operation item configured to move a file location and a second operation item configured to delete a file.” As discussed with respect to Claim 1, Moshfeghi does not teach or suggest this feature.

Thus, Applicant respectfully requests that the rejection of Claim 59 under 35 U.S.C. § 102(e) be withdrawn.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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